

## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Maxine Brown-Roberts, Project Manager  
Joel Lawson, Associate Director Development Review  
**DATE:** June 10, 2014  
**SUBJECT:** BZA 18778 - 1711 Florida Avenue, NW.

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### **I. OFFICE OF PLANNING RECOMMENDATION**

KJ Florida Avenue Property, LLC (Applicant) proposes to partially demolish the existing parking garage and build a 5-story residential building with 129 units at 1711 Florida Avenue, NW. To accommodate the new use, the applicant has requested variances and special exceptions.

The Office of Planning (OP) recommends **approval** of the following area variances:

- § 2115.4 Compact parking spaces (groups of 5 allowed, group of 4 proposed)
- § 2201.1 Loading (55-foot berth required, 30-foot berth provided)

OP recommends **approval** of the following special exceptions:

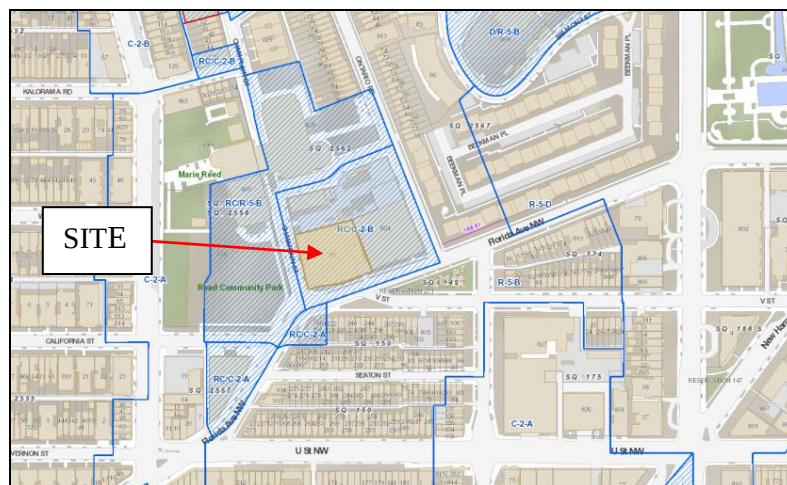
- § 1402.1 Height (40 allowed, 54.83 feet proposed)
- § 411 and 770.6 Roof Structure: Multiple enclosures, varying heights, and not meeting setback requirements.

OP recommends that the applicant provide clarification at the public hearing regarding the roof structure setback on the southeastern portion of the roof.

### **II. LOCATION AND SITE DESCRIPTION**

|                     |                                                                                                                                                 |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Address             | 1711 Florida Avenue, NW.                                                                                                                        |
| Legal Description   | Square 2562, Lot 95                                                                                                                             |
| Ward                | 1, 1C                                                                                                                                           |
| Lot Characteristics | The property is a nearly square, 25,920 square foot lot in the northeast corner of the intersection of Florida Avenue and Champlain Street, NW. |

|                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Zoning                             | <p>C-2-B and the Reed Cook Overlay District.</p> <p>C-2-B: This zone is designated for high-density residential and mixed uses.</p> <p>Reed Cook Overlay District: Designed to protect current housing and provide for the development of new housing; ensure that new nonresidential uses serve the local community by providing retail goods, personal services, and other activities that contribute to the satisfaction of unmet social, service, and employment needs in the Reed-Cooke and Adams-Morgan community; and protect adjacent and nearby residences from damaging traffic, parking, environmental, social, and aesthetic impacts</p> |
| Existing Development               | The property is developed with a multilevel parking garage with entrance off Florida Avenue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Historic District                  | The property is not within a Historic District, but is across Florida Avenue from the Strivers' Row historic district.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Adjacent Properties                | To the north of the site is a Pepco substation in the RC/C-2-B zone; to the east is a multi-story Security Storage facility in the RC/C-2-B zone; to the west is the 2 to 3 story Marie Reed Community Learning Center and playing fields in the RC/R-5-B zone; and the south are 2 to story rowhouses in the R-5-B zone.                                                                                                                                                                                                                                                                                                                            |
| Surrounding Neighborhood Character | The site is within a section of the Adams-Morgan neighborhood known as Reed-Cooke, generally bounded by Florida Avenue, Columbia Road, 16 <sup>th</sup> Street and 18 <sup>th</sup> Street. Historically Reed Cooke contained a wide mix of uses, from row houses to warehouses and other industrial uses. Since the creation of the Reed Cooke Overlay in 1991, there have been extensive residential rehabilitation and expansion, and the conversion of commercial and industrial buildings on Champlain Street and Kalorama Road into apartment buildings.                                                                                       |



## Site Location and Zoning



Subject Site

### III. APPLICATION

Subsequent to the April 10, 2014 submission, the applicant made changes to the proposal. Originally, the application proposed to completely demolish the existing building and construct a building to a height of 65 feet. After consultations with the community, the development now proposed to demolish the above grade portion of the existing parking garage retaining the below grade level and incorporating it into the new construction. The proposed building would now be at a height of 54.83 feet.

The new building would have 5 stories with 129 units (105,340 square feet of which 19,205 square feet is within the cellar) consisting of studios, one bedroom units and 2 bedroom units (the applicant has not identified how many of each unit would be provided). A total of 46 parking spaces, 11 spaces on the ground floor and 35 spaces in the cellar would be provided.

### IV. ZONING REQUIREMENTS and RELIEF REQUESTED

| RC/C-2-B           | Regulation                                                                            | Proposed                                                                        | Relief                                  |
|--------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------|
| Height             | C-2-B - 65 feet<br>RC - 40 ft.<br>RC - 50 ft. with IZ                                 | 54.83 ft.                                                                       | SE                                      |
| Lot Area (sq. ft.) | 25,920 sf                                                                             | 25,920 sf                                                                       | No                                      |
| Lot Occupancy      | 80%<br>80% with IZ                                                                    | 79.5%<br>88.5% (existing at ground level)                                       | Existing non-conformity at ground level |
| Floor Area Ratio   | 3.5 max. (1.5 max. for commercial)<br>20% (0.7) bonus with IZ<br>4.2 max. with IZ     | 4.06 with IZ                                                                    | No                                      |
| Rear Yard          | 15 ft. min.                                                                           | 0 ft. (existing at ground level)<br>15 ft. (new construction)                   | Existing nonconformity at ground level. |
| Parking            | 1/per 3 du. = 43                                                                      | 46 (5 compact)                                                                  | No                                      |
| Loading            | 1 – 55 ft. berth<br>1 – 200 ft. loading platform<br>1 – 20 ft. service delivery space | 1 – 30 ft. berth<br>1 – 200 ft. loading platform<br>1 – 20 ft. service delivery | Yes                                     |

|                  |                                              |                                                       |     |
|------------------|----------------------------------------------|-------------------------------------------------------|-----|
|                  |                                              | space                                                 |     |
| Roof Structure   | 1 Roof Structure Enclosure<br>Uniform Height | 2 Roof Structure<br>Enclosures<br>12 and 16 feet high | Yes |
| Green Area Ratio | 0.30                                         | 0.30                                                  | No  |

## V. OFFICE OF PLANNING ANALYSIS

### Special Exception

The Applicant proposes a building height of 54.83 feet where the Reed Cooke Overlay allows up the 50 feet. Regarding the height of buildings, the Reed Cooke Overlay at § 1402.1 states:

*The maximum height permitted in the RC Overlay District shall not exceed forty feet (40 ft.) plus roof structure as defined in this title; provided, that in the RC/C-2-B Overlay District, a maximum height of fifty feet (50 ft.), plus roof structures, shall be permitted to provide for the on-site construction of low and moderate income household units, as those households are defined by the Inclusionary Zoning Regulations of Chapter 26 for a total gross floor area equal to fifty percent (50%) of the additional gross floor area made possible by the height bonus.*

The Applicant is utilizing the provision of § 1402.1 to attain an increase in height by providing additional IZ units. Of the approximately 129,678 gross square feet of residential space (129 units), approximately 11,235 gross square feet (13 units) would be dedicated as IZ units. The proposal meets the criteria for the additional height as follows:

### 1403 SPECIAL EXCEPTIONS (RC)

*1403.1 An exception from the requirements of this chapter shall be permitted only if granted by the Board of Zoning Adjustment as a special exception pursuant to § 3104 after a public hearing, and subject to the following criteria:*

- (a) The use, building, or feature at the size, intensity, and location proposed will substantially advance the stated purposes of the RC Overlay District;*

Generally, the purposes of the Reed Cook Overlay are to protect current housing and provide for the development of new housing; and protect adjacent and nearby residences from damaging traffic, parking, environmental, social, and aesthetic impacts

The proposal would meet these criteria by removing a nonresidential use and replacing it with 129 residential units of various sizes. The proposal would provide sufficient parking spaces to serve the residents and would also provide bicycle facilities to encourage reduced car usage.

- (b) Vehicular access and egress shall be designed and located so as to minimize conflict with pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic condition;*

Vehicular access would be only from Florida Avenue in order to reduce conflicts with pedestrian along the narrower Champlain Street. The closure of the curb cut along Champlain Street would also allow a safer pathway for pedestrians and bicycles.

- (c) *Adequate off-street parking shall be provided for employees and for trucks and other service vehicles;*

The provision of 46 parking spaces would serve the resident. Facilities for loading and service vehicles would be provided in the building. Trucks would be able to turn around inside the building, thus minimizing conflicts with traffic and pedestrians on the adjacent streets.

- (d) *If located within a C-2-B District, the use shall not be within twenty-five feet (25 ft.) of a Residence District, unless separated there from by a street or alley;*

The site is within the C-2-B district and to the south and west of the site are residential districts. However, they are separated Florida Avenue and Champlain Streets.

- (e) *Noise associated with the operation of a proposed use will not adversely affect adjacent or nearby residences;*

The development would about non-residential uses to its north and east and the across Champlain Street and would not generate noise to affect their operations. The closest residential uses are across Florida Avenue and it is not envisioned that noise from this residential use should adversely affect these nearby residents.

- (f) *No outdoor storage of materials, nor outdoor processing, fabricating, or repair shall be permitted; and*

No outdoor storage is proposed.

- (g) *The use, building, or feature at the size, intensity, and location proposed will not adversely affect adjacent and nearby property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area.*

The proposed residential use along with the size and intensity proposed is compatible to the other residential, commercial, recreational and educational used in the Reed Cooke area and would be an improvement over the existing use regarding the health, safety and welfare of residents in the area as the new development would greatly reduce traffic movements to and from the property. The new residents would support businesses in the area and provide additional activity and eyes on the streets in the area.

**Roof Structure, § 770.6 (a), § 411.3, § 411.5, § 770.6 (b)**

*770.6 If housing for mechanical equipment or a stairway or elevator penthouse is provided on the roof of a building or structure, it shall be erected or enlarged as follows:*

*(a) It shall meet the requirements of § 411; (the relevant sections of § 411 are:*

*411.3 All penthouses and mechanical equipment shall be placed in one (1) enclosure, and shall harmonize with the main structure in architectural character, material, and color.*

*411.5 Enclosing walls from roof level shall be of equal height, and shall rise vertically to a roof, except as provided in § 411.6.)*

*(b) It shall be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located; and*

The applicant states that as required by the Building Code, two means of egress to the roof have to be provided. A stair would be located on the northeastern portion of the property while the enclosure for access to roof terraces and the elevator would be on the western and southern portions of the roof. If both were to be enclosed in a single structure it would be a very large structure; therefore, the applicant proposes to have two enclosures.

The stair enclosure would have a height of 12 feet and would not have the required 1:1 setback from the edge of the roof. The second enclosure on the southern and western portion of the building would enclose access to roof terraces and the elevator. The portion of the enclosure around the elevator would be 18.5 feet while the enclosure around the access area would be at 12 feet. The reduction in height of portions of the enclosure would assist in reducing the visibility and massing of the structure. The Applicant should identify if the portion of the enclosure adjacent to the T-06 roof terrace is setback the required 12 feet from all the roof edges. The roof structures are located to respond to the layout of the residential units and the core functions within the building.

**Special Exception Standards, § 3104.1**

The general standards by which the BZA should review special exceptions are set forth in Section 3104.1 and listed below:

**i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?**

The intent of the regulations regarding roof structures is to shield the mechanical equipment from view in a unified manner and setback to minimize it being view from in front the building. The proposed structures are located away from each other to satisfy the Building Code requirements. In this case, having one enclosure would entail a large structure that would be more visible.

**ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?**

The special exception would not adversely affect the use of neighboring properties as the roof structures would not intrude on the light, air or visibility of adjacent properties.

**Variances**

The Applicant seeks variances to provide a 30-foot berth instead of a 55-foot berth and to provide 5 compact spaces not grouped together.

**i. Exceptional Situation Resulting in a Practical Difficulty**

**§ 2201.1 - Loading Berth**

The property fronts on Champlain Street, which is a narrow one-way street, and Florida Avenue. There is no alley access and the topography of the site slopes down along Champlain Street towards Florida Avenue. The development would retain the lower portions of the existing structure in order to reduce construction impacts on the neighborhood and accelerate delivery of housing units to the city as requested by the community. These factors present an exceptional situation due to the narrow width of Champlain Street restricting the ability to safely maneuver a 55-foot truck into a berth off Champlain Street. Providing turn around space on-site would result in the loss of parking spaces. Accessing the loading area from Florida Avenue also presents a practical difficulty to maneuver a 55-foot truck into the below grade area and that would require a larger space and would result in a reduction in the area available for parking. These factors combine to present a practical difficulty in providing the required 55-foot berth.

**§ 2115.4 - Compact parking spaces**

The proposed 129 residential units would require 43 spaces. The applicant proposes 46 spaces which include 5 compact spaces. § 2115.4 require that compact spaces be in groups of 5 contiguous spaces and accessed from the same drive isle. In this case one compact space would be on the first parking level and 4 would be on the lower parking level. Because the area and configuration of the parking levels are set from the existing building, compact spaces are being uses in those locations in order to maintain the 20-foot drive isle width and turning area.

The retention of the existing portion of the existing building creates an exceptional situation that imposes a practical difficulty in providing full size spaces and compact spaces in a group of 5.

**ii. No Substantial Detriment to the Public Good**

Relief can be granted without substantial detriment to the public good. The retention of the lower portion of the building would result in a reduction of construction noise, construction traffic, and the construction period on the community. The resulting 30 foot berth would adequately serve the new residents and loading would be accommodated internal to the building. The provision of the compact spaces would allow for vehicles to maneuver safely in the garage.

### **iii. No Substantial Harm to the Zoning Regulations**

Approval of the requested relief would not result in substantial harm to the Zoning Regulations as it has been demonstrated that the property is affected by adverse physical factors as well as the desire of the community for the development to have minimal negative effect during construction

## **VI. COMMENTS OF OTHER DISTRICT AGENCIES**

As of the date of this filing, the Office of Planning has not received comments from other agencies. However, DDOT will be filing under separate cover.

## **VII. COMMUNITY COMMENTS**

The property is within ANC-1B. On June 4, 2014 at a regularly scheduled meeting the ANC voted to prove the proposal. The Applicant and the ANC also agreed to the following terms:

1. The Applicant has confirmed that it will comply with the inclusionary zoning requirements of Section 1402.1 of the Reed-Cooke Overlay Regulations.
2. The Applicant has agreed that, in light of the additional height requested, the Applicant will include 50% of 50% (i.e. 25%) of the proposed cellar residential square footage in the inclusionary zoning floor-area-ratio calculation, which is expected to result in one additional inclusionary unit beyond what would otherwise be required pursuant to Section 1402.1 of the Reed-Cooke Overlay Regulations.
3. Endeavor to have a bikeshare station installed adjacent, or in proximity, to your property.

JLS/mbr